



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

RON MENOR
CHAIR & PRESIDING OFFICER
IKAIKA ANDERSON
VICE CHAIR
KYMBERLY MARCOS PINE
FLOOR LEADER
BRANDON J. C. ELEFANTE
CAROL FUKUNAGA
ANN H. KOBAYASHI
JOEY MANAHAN
ERNEST Y. MARTIN
TREVOR OZAWA

JOURNAL

REGULAR MEETING
16TH SESSION
WEDNESDAY, JANUARY 31, 2018

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ron Menor, at 10:53 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Elefante, Fukunaga, Kobayashi, Manahan, Martin, Ozawa, Pine, Menor - 9.

INTRODUCTION OF GUESTS

Councilmember Anderson recognized Susan, Chris and Barry, student interns from China who are working with staff to research, discuss and provide recommendations regarding bicycle parking and restroom cleanliness.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 15th Session (December 6, 2017) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Pine.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.
NOES: None.

ORDER OF THE DAY

PRESENTATION

REPORT OF PERMITTED ACTION GROUP ESTABLISHED BY RESOLUTION 17-341

COUNCIL COMMUNICATION 34

January 24, 2018 – From Councilmembers Ann Kobayashi, Carol Fukunaga and Trevor Ozawa, submitting a Report pursuant to Resolution 17-341 establishing a permitted interaction group to investigate measures to improve fire safety in residential buildings, the financial impacts of such measures, and measures to mitigate these financial impacts.

Councilmember Anderson stated that pursuant to Hawaii Revised Statutes, Section 92-2.5(b)(1) and Resolution 17-341, adopted by the Council on December 6, 2017, Councilmembers Ann Kobayashi, Carol Fukunaga, and Trevor Ozawa were authorized to investigate measures to improve fire safety in residential buildings.

There was no public testimony.

Council Chair Menor announced that the committee's report was being presented as Council Communication 34.

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-352

RESOLUTION RELATING TO THE APPOINTMENT OF SHANNON L. ALIVADO TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Councilmember Anderson spoke in support of the Resolution, stating that Shannon Alivado has been an outstanding member of the Waimanalo Community and currently serves on the Waimanalo Neighborhood Board. He stated that he strongly believes that Ms. Alivado will be a solid asset to the Commission and urged councilmembers to support moving the measure forward. He also thanked the Mayor for nominating Ms. Alivado.

Chair Menor echoed comments from Councilmember Anderson.

Councilmember Ozawa spoke in strong support of Ms. Alivado. He noted her well-rounded background and that as a lawyer she will bring insight to the Commission.

Chair Emeritus Martin echoed the many comments made by councilmembers.

Shannon Alivado thanked councilmembers for their remarks. She stated that it was an honor to be considered for the Police Commission. She noted that although she has a busy schedule, she will commit the time and research necessary to fulfill her role on the Commission.

In response to Chair Emeritus Martin's recommendation to adopt the Resolution, Chair Menor stated that he has been advised to refer the Resolution to the Committee on Public Health, Safety and Economic Development for further discussion due to the sunshine requirements and procedures.

Chair Menor referred Resolution 17-352 to the Committee on Public Health, Safety and Economic Development for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Related communications:

M-73	Early testimony on Resolution 17-352
M-80	Additional testimony on Resolution 17-352

ADOPTION
RESOLUTION 17-335 – COMMITTEE REPORT 44

RESOLUTION CONFIRMING THE APPOINTMENT OF MS. BETTINA MEHNERT TO SERVE ON THE CLIMATE CHANGE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 44 and Resolution 17-335 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Fukunaga stated that on behalf of the Public Works, Infrastructure and Sustainability Committee, all of the Climate Change Commission nominees (Resolutions 17-335, 17-336, 17-337, and 17-338) have extensive experience and qualifications and urged councilmembers' support.

Committee Report 44 and Resolution 17-335 were adopted.

AYES:	ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA, PINE, MENOR – 9.
NOES:	None.

Chair Menor recognized and congratulated Ms. Mehnert.

ADOPTION
RESOLUTION 17-336 – COMMITTEE REPORT 45

RESOLUTION CONFIRMING THE APPOINTMENT OF DR. CHARLES FLETCHER, III TO SERVE ON THE CLIMATE CHANGE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 45 and Resolution 17-336 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 45 and Resolution 17-336 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.
NOES: None.

Chair Menor recognized and congratulated Dr. Fletcher.

ADOPTION

RESOLUTION 17-337 – COMMITTEE REPORT 46

RESOLUTION CONFIRMING THE APPOINTMENT OF DR. MAKENAKAUHANEOLA COFFMAN TO SERVE ON THE CLIMATE CHANGE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 46 and Resolution 17-337 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 46 and Resolution 17-337 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.
NOES: None.

Chair Menor recognized and congratulated Dr. Coffman.

ADOPTION

RESOLUTION 17-338 – COMMITTEE REPORT 47

RESOLUTION CONFIRMING THE APPOINTMENT OF DR. VICTORIA KEENER TO SERVE ON THE CLIMATE CHANGE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 47 and Resolution 17-338 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 47 and Resolution 17-338 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Chair Menor recognized and congratulated Dr. Keener.

ADOPTION

RESOLUTION 17-331 – COMMITTEE REPORT 57

RESOLUTION RELATING TO THE APPOINTMENT OF MR. RICHARD T. GRIMM TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Ozawa moved that Committee Report 57 and Resolution 17-331 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Ozawa stated the Public Health, Safety and Economic Development Committee strongly supports Mr. Grimm.

Mr. Grimm thanked the Council for giving him the opportunity to serve on the Police Commission.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-33).

Committee Report 57 and Resolution 17-331 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Chair Menor recognized and congratulated Mr. Grimm.

ADOPTION

RESOLUTION 18-16 – COMMITTEE REPORT 40

RESOLUTION RELATING TO THE REAPPOINTMENT OF DIANE PETERS-NGUYEN TO SERVE ON THE SALARY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Manahan moved that Committee Report 40 and Resolution 18-16 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Manahan noted that the Resolution is a re-appointment for Ms. Peters-Nguyen to serve on the Salary Commission and that she was originally appointed in 2014. He asked for councilmembers' support.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-10).

Committee Report 40 and Resolution 18-16 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.
NOES: None.

Chair Menor recognized and congratulated Ms. Peters-Nguyen.

ADOPTION

RESOLUTION 17-339 – COMMITTEE REPORT 48

RESOLUTION CONFIRMING THE APPOINTMENT OF DR. ROSANNA ALEGADO TO SERVE ON THE CLIMATE CHANGE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 48 and Resolution 17-339 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Fukunaga stated that the Resolution was heard in the Public Works, Infrastructure and Sustainability Committee. She noted it was received after the initial four Resolutions were submitted for the Climate Change Commission and is up for public hearing and adoption. She strongly recommended adoption of the Resolution.

Committee Report 48 and Resolution 17-339 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Chair Menor recognized and congratulated Dr. Alegado.

Related communications:

MM-179 (2017)	Roy K. Amemiya, Jr., Office of the Mayor
M-7306 (2017)	Jacye C. Lomosbog
M-81	Additional testimony on Resolution 17-339

PUBLIC HEARING/SECOND READING

BILL 110 (2017), CD1 – COMMITTEE REPORT 2

A BILL FOR AN ORDINANCE REGULATING FOR AN INTERIM PERIOD THE ISSUANCE OF BUILDING PERMITS FOR THE PLANNING AND DEVELOPMENT OF LARGE RESIDENTIAL STRUCTURES IN RESIDENTIAL DISTRICTS IN ORDER TO PROVIDE TIME FOR THE CITY TO ESTABLISH APPROPRIATE POLICIES IN ITS LONG-RANGE PLANS AND ZONING ORDINANCES TO ADDRESS THE IMPACTS OF SUCH STRUCTURES.

The following amendment was handcarried to the meeting and was not considered:

Bill 110 (2017), CD1, Proposed FD1 (OCS2018-0106/1/29/2018 3:44 PM)

Councilmember Anderson moved that Committee Report 2 be adopted and Bill 110 (2017) pass second reading, as amended to CD1. Seconded by Councilmember Pine

The following individuals testified:

1. Jimmy Wu (M-63) (Oppose)
2. Tsui Fai Po (M-63) (Oppose)
3. Zihang Ou (M-63) (Oppose)
4. Kwok Bun Cheng (Oppose)
5. Joanna Yun Hong Zheng (Oppose)
6. Victor Yeung (M-63) (Oppose)
7. Alan K. Arakawa, Alexander & Baldwin (M-63) (General comment)
8. Gladys Marrone, Building Industry Association-Hawaii (M-63) (Oppose)
9. James Manaku, Sr. (General comment)
10. Earl Lee, Berkshire Hathaway (M-82) (Oppose)
11. Rachel Bradley, Berkshire Hathaway (Oppose)
12. Roy Nakamura (Oppose)
13. Calvin Hulihee (General comment)
14. Beryl You (Oppose)
15. Barbara Armentrout (Support)
16. Chu Lan Shubert-Kwock (General comment)
17. Xinhong Yu (Oppose)
18. James Jing Ping Wang (Oppose)
19. John Climaldi (General comment)

Councilmember Ozawa stated that the Chair of the Planning Committee urged him to discuss the handcarried FD1 in Committee. He expressed concern with the ongoing problem and noted that a moratorium is necessary. He thanked Committee Chair Anderson for his work and Councilmembers Fukunaga and Kobayashi who are also struggling with issues in their communities. He noted his issue with the measure is the 3,500 square foot requirement building restriction. He recommended creation of a task force or working group to discuss the measure.

In response to Chair Menor, Councilmember Ozawa clarified that he is not making a motion to amend the measure. He explained that he thought it would be a good idea to amend the measure to lessen the burden on his constituency.

Councilmember Ozawa stated people want action to be taken on the measure and he agreed with testifiers that the Department of Planning and Permitting (DPP) must enforce current regulations and laws. He thanked Councilmember Anderson for his work on the measure but noted that he would have a hard time supporting the CD1 which places a moratorium on construction of residential dwellings larger than 3,500 square feet. He noted that using floor area ratio (FAR) is the fairest way to determine the size of the house on the property, and the DPP testified that using the FAR would not add extra work or slow down

the review process. He noted that the list of problem houses detailed with information including photographs, permits, outstanding permits, square footage, and parking he requested from the DPP could be utilized to check all the rules were enforced. He stated that the DPP needs to work quickly to approve the permits of applicants who follow the law. He noted for the record that it is the Committee Chair's prerogative to address concerns in Committee but a lot of concerns have been raised.

Councilmember Anderson thanked his colleagues and the stakeholders from the community for sharing their comments. He reiterated that the Bill is a work in progress, and that he would like to come up with a temporary measure to control the construction of these homes in the residential communities. He noted that the DPP will be presenting the Oahu General Plan to the Council shortly. He raised the concern of what would happen if these monstrosities are built and the Plan is revised. He stated that if those building these monstrosities were more respectful of their neighbors, we would not be here today. He noted that these homes do not belong in residential districts and would be better suited for apartment zoned areas. He asked for councilmembers to move the measure forward for further discussions in Committee.

Councilmember Pine voiced her support with reservations for the measure. She noted that she would be ready to support the proposed FD1 but out of respect for Councilmember Anderson's request, she will wait for further discussions in Committee. She stated that the City should go after the people who are abusing the system, but must be careful on how it treats large families, lower income residents and certain cultures that are trying to survive by pooling their finances.

Chair Emeritus Martin stated that if the proposed FD1 had been introduced, he would have voted in support. He noted that the limitations placed by the CD1 may have an adverse effect for those in his district. He commended Councilmember Ozawa for his proposed FD1.

Chair Menor stated that he shares the reservations that have been expressed; however, as Council Chair he tries to defer to the subject matter chair and committee. He expressed confidence that Councilmember Anderson will address concerns before final action is taken on the measure. He expressed his support for the measure.

Councilmember Elefante noted that he will be filing a Disclosure of Interest Statement out of an abundance of caution as Mr. Arakawa from Alexander and Baldwin has contributed to the Friends of Brandon Elefante (CC-37).

He noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-21).

Committee Report 2 was adopted and Bill 110 (2017), CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN,
 MARTIN*, OZAWA*, PINE*, MENOR – 9.

NOES: None.

*Councilmembers Martin, Ozawa, Pine voted aye with reservations.

Related communications:

M-63 Early testimony on Bill 110 (2017), CD1
M-82 Additional testimony on Bill 110 (2017), CD1

Chair Menor stated that it is a very special day because the Council is celebrating Councilmember Manahan's birthday. He noted that Councilmember Manahan and his staff have provided pizza and cake in the third floor conference room.

RECESS/RECONVENE

At 12:24 p.m., the Chair called for a recess as noted on the agenda. With 8 members present (Excused: Pine – 1), the Chair reconvened the meeting at 1:38 p.m.

At this juncture, there being no objections from the 8 members present (Absent: Pine - 1), the Chair considered Resolution 17-334 on page 24 of the agenda.

ADOPTION

RESOLUTION 17-334 – COMMITTEE REPORT 35

RESOLUTION APPROVING COLLECTIVE BARGAINING COST ITEMS FOR THE STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS BARGAINING UNIT 12 INCLUDED, EXCLUDED, AND EXCLUDED MANAGERIAL EMPLOYEES OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Manahan moved that Committee Report 35 and Resolution 17-334 be adopted. Seconded by Councilmember Elefante.

The following individuals testified:

1. Tenari Ma'afala, State of Hawaii Organization of Police Officers (Support)
2. David Kawika Hallums (Support)
3. Don Faumuina (Support)
4. James Manaku, Sr. (Support)

Councilmember Manahan spoke in strong support of the measure. He stated that the raises would help to recruit and retain good officers. He asked for councilmembers to support the measure.

Chair Emeritus Martin thanked Chair Menor for moving the measure up on the agenda. He stated that the hard work and service to the community of police officers is appreciated by all.

Chair Menor voiced his support for police officers. He stated that they need to be adequately compensated for the important and difficult work they do in our communities. He expressed his support for the measure.

Councilmember Anderson stated he will stand on his support and comments made in Committee. He spoke in support of the measure and acknowledged the fine job that our men and women in blue do every day.

Councilmember Ozawa thanked Chair Menor for moving the measure up on the agenda and to Chair Emeritus Martin for the recommendation. He noted that the officers deserve the raise they are asking for especially due to how difficult their job is. He voiced his support for the measure.

Councilmember Pine noted for the record that she filed a Disclosure of Interest with the City Clerk's Office (CC-29).

Committee Report 35 and Resolution 17-334 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

Related communication:

M-92 Additional testimony on Resolution 17-334

The Council Chair returned to the agenda order.

PUBLIC HEARING/SECOND READING

BILL 69 (2017), CD1, FD1 – COMMITTEE REPORT 11

A BILL FOR AN ORDINANCE RELATING TO FIRE SAFETY.

The following amendment was posted on the agenda:

Bill 69 (2017), CD1, Proposed FD1

Councilmember Fukunaga moved that Committee Report 11 be adopted and Bill 69 (2017) pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

Councilmember Anderson moved that the Bill be amended to FD1. Seconded by Councilmember Manahan. The FD1 makes the following amendments.

A. Deletes the amendments made to Revised Ordinances of Honolulu 1990 ("ROH") Chapter 20, Article 2 in Sections 2 through 6 of the Bill and instead amends, in new Section 2, Section 20-1.1, ROH, as follows:

1. Adds a new paragraph (15) to read as follows:

"(15) Amending Section 13.3.2.26.2. Section 13.3.2.26.2 is amended to read:

13.3.2.26.2 Existing high-rise residential buildings not protected throughout by an automatic fire sprinkler system shall be subject to building fire and life safety evaluation code assessments, which consist of an assessment of building safety features and fire protection systems in accordance with this code and the building code. A passing score on the evaluation provides a minimum level of fire and life safety to occupants and fire fighters that is approved by the AHJ. A building fire and life safety evaluation shall be conducted by a licensed design professional within three years from the effective date of this ordinance. Buildings shall comply by passing the building fire and life safety evaluation within six years from the effective date of this ordinance. The AHJ may grant an extension pursuant to Section 13.3.2.26.7 if automatic fire sprinkler systems are required to achieve compliance. All buildings must continue to maintain a passing status on their respective building fire and life safety evaluations.

13.3.2.26.2.1 The association of apartment owners or duly appointed board of an existing high-rise residential building may appeal the final building fire and life safety evaluation score, and the resulting fire safety requirements for the building, as assessed by the licensed design professional or the determination of the AHJ, by filing a written request for an appeal to the director or head of the AHJ within 10 business days of the date of the completed building fire and life safety evaluation assessment or the AHJ's determination of the building's fire and life safety requirements, whichever is later. The request for an appeal shall include a statement of the basis for appeal, supporting documentation, if any, and the relief requested. The director or head of the AHJ shall render a decision on the appeal not later than 30 calendar days from the receipt of the appeal. The AHJ shall submit an annual report to the Honolulu Fire Commission and the Council on the appeals filed by existing high-rise residential buildings and the disposition of the appeals. The AHJ may prescribe, as needed, additional appeal procedures, requirements, and forms, not inconsistent with this section.

13.3.2.26.2.2 Except as otherwise provided in this paragraph (15), existing high-rise residential buildings shall be protected throughout by an approved automatic fire sprinkler system in accordance with this chapter and the building code.

13.3.2.26.2.3 Notwithstanding any other provision of this paragraph (15), the association of apartment owners or duly appointed board of an existing high-rise residential building 10 floors or higher that is subject to a condominium property regime may opt out of the automatic fire sprinkler system requirement for individual dwelling units; provided that, the requisite number of the unit owners necessary for the association to take action under its organizational documents and Hawaii law affirmatively vote to opt out of the requirement within three years of the completion of the building fire and life safety evaluation at a regularly scheduled or special meeting of the owners, convened and noticed in accordance with the condominium's or association's by-laws; and provided further, that the building receives a passing score on the building fire and life safety evaluation through the implementation of alternative fire prevention and fire safety systems and the installation of an approved automatic fire sprinkler system in the common areas of the building related to building ingress path to enter the building and egress path to exit the building. An association of apartment owners or duly appointed board of a building that is opted out of the automatic fire sprinkler system requirement shall provide verifiable, public disclosure of its action to all current and future owners and residents. Verifiable public disclosure may include, but shall not

be limited to, signs posted in the building's public notification areas, real estate sales disclosures as may be required by Hawaii real estate industry practices, and declarations recorded with the bureau of conveyances or land court, or both, as applicable.

13.3.2.26.2.4 Each building owner shall, within 180 days from the effective date of this ordinance, file a written statement of its intent to comply with this paragraph (15) with the AHJ for approval.

13.3.2.26.2.5 The AHJ shall review and respond to the written statement of the owner's intent to comply within 60 days of receipt of the statement of intent to comply.

13.3.2.26.2.6 Subject to the exceptions in the following section, the entire building shall be required to be protected by: (a) An approved automatic fire sprinkler system; or (b) Alternative fire prevention and fire safety systems and an approved automatic fire sprinkler system in the common areas related to building ingress path to enter the building and egress path to exit the building as approved by the AHJ, within 12 years of the effective date of this ordinance, except where an extension is approved by the AHJ as provided in Section 13.3.2.26.2.7.

13.3.2.26.2.7 Compliance with the automatic fire sprinkler system throughout the building or alternative fire prevention and fire safety systems provisions and an approved automatic fire sprinkler system in the common areas related to building ingress path to enter the building and egress path to exit the building of Section 13.3.2.26.2.2 shall be achieved as follows: Common areas for buildings 20 floors and over shall be completed within eight years from the effective date of this ordinance, common areas for buildings 10 to 19 floors shall be completed within 10 years from the effective date of this ordinance, and all buildings, regardless of the number of floors, shall be completed within 12 years from the effective date of this ordinance. An extension to 15 years from the effective date of this ordinance may be approved by the AHJ; provided that, compliance using an automatic fire sprinkler system in the common areas related to building ingress path to enter the building and egress path to exit the building has been achieved.

EXCEPTION: Existing high-rise residential buildings are exempted from the automatic fire sprinkler system requirements in Section 13.3.2.26.2.2 if all dwelling units have exterior access and a continuous egress path to exit the building and have no full-length interior corridors.

EXCEPTION: Existing high-rise residential buildings less than 10 floors in height can receive a building fire and life safety evaluation passing status in lieu of the approved automatic sprinkler system requirements in Section 13.3.2.26.2.2.

EXCEPTION: Existing high-rise residential buildings may be protected throughout by an approved automatic fire sprinkler system per NFPA 13R when approved by the AHJ.

EXCEPTION: Private balconies that have at least one long side that is 50 percent open are not required to have automatic fire sprinkler protection.

EXCEPTION: Elevator hoistways and machine rooms are not required to have automatic fire sprinkler protection.

EXCEPTION: Class II wet standpipe systems may be removed when buildings are protected throughout by automatic fire sprinkler systems pursuant to Section 13.3.2.26.2.2.

EXCEPTION: Combined standpipe and automatic fire sprinkler systems using existing standpipes shall be permitted to utilize pump sizing for the fire sprinkler demand."

2. Renumbers all subsequent paragraphs thereafter accordingly.

B. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Eric Johnson, Contessa AOA (M-64) (Oppose)
2. Jane Sugimura, Hawaii Council of Association of Apartment Owners (M-64) (General comment)

Chair Menor stated that as the drafter of the proposed FD1 he echoes councilmembers' sentiments that this is a very difficult and complex issue. He noted that as councilmembers and policy makers, the Council recognizes that the City needs to be proactive in trying to prevent the kind of tragic occurrence that happened at the Marco Polo Condominium and at the same time be sensitive to the financial realities and implications of any measures that are passed. He commended his colleagues who served on the permitted interaction group for their hard work.

Councilmember Fukunaga stated she cannot fully support the measure because of the concerns expressed by condominium owners. She noted she will vote with reservations and continue to work with councilmembers on addressing all concerns to find a balance.

Councilmember Anderson noted he is in support of the measure as it is only second reading, but that he is not entirely comfortable with mandating sprinklers because it may displace some residents.

Councilmember Pine thanked Chair Menor, Councilmembers Fukunaga, Kobayashi and Ozawa for their time in meeting with the people concerned. She noted that it is the desire to keep people safe but not make them homeless. She stated that her concern from the beginning was to be mindful in having mandatory sprinklers but should be accompanied with financial assistance. She expressed concern that the budget that will be considered soon and wondered where the funds to offer financial assistance for sprinklers will come from. In the end she stated that she would prefer the choice be made by the residents of the condominiums.

Chair Emeritus Martin stated he appreciates the hard work of Chair Menor, Councilmembers Fukunaga, Ozawa and Kobayashi. He noted he will vote no for the measure as he has always been uncomfortable with mandatory fire sprinklers even though he understands the position of the Mayor and Fire Department. He expressed his preference that Bill 107 be advanced.

Councilmember Ozawa noted that he was in support of the Mayor's proposal when the incident happened at Marco Polo but after spending many hours in meetings with the Permitted Interaction Group and learning how costly it would be to have water sprinklers in all condominiums, he stated he will vote no for the measure.

Bill 69 (2017), CD1 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA*, KOBAYASHI*, MANAHAN,
 MARTIN*, OZAWA*, PINE*, MENOR – 9.

NOES: None.

*Councilmembers Fukunaga, Kobayashi, Martin, Ozawa, and Pine voted aye with reservations.

Committee Report 11 was adopted and Bill 69 (2017), CD1, FD1 passed second reading.

AYES: ANDERSON*, ELEFANTE*, FUKUNAGA*, KOBAYASHI*, MANAHAN*,
 PINE*, MENOR – 7.

NOES: MARTIN, OZAWA – 2.

*Councilmembers Anderson, Elefante, Fukunaga, Kobayashi, Manahan, and Pine voted aye with reservations.

Related communications:

M-64 Early testimony on Bill 69 (2017), CD1

M-83 Additional testimony on Bill 69 (2017), CD1

PUBLIC HEARING/SECOND READING

BILL 101 (2017) – COMMITTEE REPORT 30

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Manahan moved that Committee Report 30 be adopted and Bill 101 (2017) pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Manahan spoke in support of all three measures [Bills 101 (2017), 102 (2017), and 103 (2017)]. The Committee moved the measures out for all councilmembers to be able to discuss them on the Council Floor. He asked for councilmembers support in moving the measure forward.

Councilmember Ozawa invited the Mayor to meet with the Permitted Interaction Group and listen to the discussions. He stated that, like the Mayor, he did not want to see the situation at the Marco Polo Condominium happen again. He noted that in these meetings, the same messages from residents are repeated and each building handles the situation differently. He remarked that if the Mayor was able to understand the situation as voiced by residents, then maybe he could help come up with a better solution.

Committee Report 30 was adopted and Bill 101 (2017) passed second reading.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN,
 MARTIN, OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

*Councilmember Elefante voted aye with reservations.

PUBLIC HEARING/SECOND READING

BILL 102 (2017) – COMMITTEE REPORT 31

A BILL FOR AN ORDINANCE RELATING TO FEES.

Councilmember Manahan moved that Committee Report 31 be adopted and Bill 102 (2017) pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 31 was adopted and Bill 102 (2017) passed second reading.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN,
 MARTIN, OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

*Councilmember Elefante voted aye with reservations.

PUBLIC HEARING/SECOND READING

BILL 103 (2017) – COMMITTEE REPORT 32

A BILL FOR AN ORDINANCE RELATING TO CITY FUNDS.

Councilmember Manahan moved that Committee Report 32 be adopted and Bill 103 (2017) pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 32 was adopted and Bill 103 (2017) passed second reading.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI*, MANAHAN,
MARTIN, OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

*Councilmembers Elefante and Kobayashi voted aye with reservations.

PUBLIC HEARING/SECOND READING
BILL 105 (2017) – COMMITTEE REPORT 51

A BILL FOR AN ORDINANCE RELATING TO PLANNED DEVELOPMENT PROJECTS IN
TRANSIT ORIENTED DEVELOPMENT AREAS.

Councilmember Anderson moved that Committee Report 51 be adopted and
Bill 105 (2017) pass second reading. Seconded by Chair Emeritus Martin.

The following individual testified:

James Manaku, Sr. (General comment)

Committee Report 51 was adopted and Bill 105 (2017) passed second reading.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN,
MARTIN, OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

*Councilmember Elefante voted aye with reservations.

Related communication:

CC-36 Councilmember Kymberly Marcos Pine

PUBLIC HEARING/SECOND READING
BILL 74 (2017) – COMMITTEE REPORT 56

A BILL FOR AN ORDINANCE RELATING TO EMERGENCY MANAGEMENT.

Councilmember Ozawa moved that Committee Report 56 be adopted and Bill 74 (2017) pass second reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 56 was adopted and Bill 74 (2017) passed second reading.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN,
MARTIN, OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

*Councilmember Elefante voted aye with reservations.

RECESS/RECONVENE

At 2:30 p.m., the Chair called for a short recess and reconvened the meeting at 2:31 p.m.

RECOMMITTAL TO COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS RESOLUTION 17-288, CD1 – COMMITTEE REPORT 14

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION), RELATING TO THE BOARD OF THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION.

Councilmember Anderson moved that Committee Report 14 and Resolution 17-288, CD1 be recommitted to the Committee on Executive Matters and Legal Affairs. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Anderson stated that he would like to give the Administration a final opportunity to share their comments on the effects or wording relating to the quorum of the Honolulu Authority for Rapid Transportation Board.

Chair Menor stated for the record that he would accommodate the request to place the measure on the February Committee agenda.

Committee Report 14 and Resolution 17-288, CD1 were recommitted to the Committee on Executive Matters and Legal Affairs.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Related communication:

M-84 Additional testimony on Resolution 17-288, CD1

RECOMMITTAL TO COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS
BILL 83 (2017) – COMMITTEE REPORT 12

A BILL FOR AN ORDINANCE RELATING TO PUBLIC SIDEWALKS.

Councilmember Kobayashi moved that Committee Report 12 and Bill 83 (2017) be recommitted to the Committee on Executive Matters and Legal Affairs. Seconded by Councilmember Elefante.

The following individual testified:

Chu Lan Shubert-Kwock (Support)

Chair Menor stated for the record that the measure would be included on the February Committee on Executive Matters and Legal Affairs agenda.

Committee Report 12 and Bill 83 (2017) were recommitted to the Committee on Executive Matters and Legal Affairs.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Related communication:

M-65 Early testimony on Bill 83 (2017)

RECESS/RECONVENE

At 2:36 p.m., the Chair called for a short recess and reconvened the meeting at 2:40 p.m.

DEFERRED TO LATER IN THE MEETING **BILL 99 (2017), CD1 – COMMITTEE REPORT 13**

A BILL FOR AN ORDINANCE RELATING TO BUS STOPS.

There being no objections from the 8 members present (Absent: Martin – 1), Chair Menor deferred Bill 99 (2017), CD1 until later in the meeting.

[Note: Later in the meeting, Committee Report 13 was adopted and Bill 99 (2017), CD1 passed third reading, as amended. See page 28.]

THIRD READING **BILL 90 (2017) – COMMITTEE REPORT 28**

A BILL FOR AN ORDINANCE RELATING TO THE FEE SCHEDULE FOR PUBLIC RECORDS.

Councilmember Manahan moved that Committee Report 28 be adopted and Bill 90 (2017) pass third reading. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 28 was adopted and Bill 90 (2017) passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.
NOES: None.

THIRD READING **BILL 93 (2017), CD2 – COMMITTEE REPORT 29**

A BILL FOR AN ORDINANCE RELATING TO WAIMANALO BAY BEACH PARK.

Councilmember Manahan moved that Committee Report 29 be adopted and Bill 93 (2017), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Anderson spoke in support of the measure. He clarified that the measure limits the number of permits to five and establishes costs of the permits for commercial tours at Waimanalo Bay Beach Park.

Councilmember Ozawa noted that he would defer to the councilmember of the district and support his recommendation.

Chair Menor commended Councilmember Anderson for his hard work on the measure. He noted that due to the recent media coverage urging the Council to take a harder line in restricting recreational stops, he has a greater appreciation for the difficulty and complexity in achieving a compromise on the issue. He voiced his support of the measure.

Jeanne Ishikawa, Deputy Director, Department of Parks and Recreation stated the Department supports the measure and thanked councilmembers for working with them to find a compromise.

In response to Councilmember Anderson, Deputy Director Ishikawa stated:

- The Department has been receiving emails from concerned community members regarding commercial activities taking place in parks.
- The Department would like to come up with one rule for all City parks islandwide to be able to have the Honolulu Police Department enforce the rule.
- Because some parks are unique on what activities are permissible, the Department is working to come up with one set of rules that would cover the different aspects at each park.
- She could not give a timeline on when the rules would be completed but the Department is working on it. It would not be next week but within a few months.

Councilmember Anderson stated that the Administration needs to realize that the longer it takes to establish rules, the higher the likelihood that similar legislation will be introduced by councilmembers.

Committee Report 29 was adopted and Bill 93 (2017), CD2 passed third reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

Related communication:

M-75 Early testimony on Bill 93 (2017), CD2

THIRD READING

BILL 59 (2017), CD2, FD1 – COMMITTEE REPORT 1

A BILL FOR AN ORDINANCE RELATING TO AFFORDABLE HOUSING INCENTIVES.

The following amendment posted on the agenda was not considered:

Bill 59 (2017), CD2, Proposed FD1 (OCS2018-0085/1/25/2018 4:38 PM)

The following amendment was handcarried to the meeting:

Bill 59 (2017), CD2, Proposed FD1 (OCS2018-0096/1/26/2018 2:46 PM)

Councilmember Pine moved that Committee Report 1 be adopted and Bill 59 (2017), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Anderson.

Councilmember Pine moved that the Bill be amended to the handcarried FD1. Seconded by Councilmember Anderson. The FD1 makes the following amendments:

- A. In SECTION 2 of the bill, revises proposed new ROH Section 8-10.__(b) to clarify that the real property tax exemption applies to that portion of real property used for affordable rental dwelling units.
- B. In SECTION 2 of the bill, adds a new subsection (c) to proposed new ROH Section 8-10.____ to clarify that the real property tax exemption does not apply to any portion of the real property that is: used for commercial or other nonresidential purposes; (2) not for the exclusive use of the tenants of the affordable rental dwelling units; or (3) subject to any other exemption from real property taxation. Realphabetizes subsequent subsections.

- C. In SECTION 7 of the bill, includes instructions to the Revisor of Ordinances to insert references from Bill 58 (2017), either in its original or amended form, where appropriate.
- D. In SECTION 8 of the bill, revises the effective date of the ordinance to provide that the provisions of the ROH sections in SECTIONS 2, 3, 4, 5, and 6 of the ordinance relating to application of those ROH sections to affordable dwelling units required pursuant to Chapter ____ by Bill 58 (2017), said provisions being enumerated in SECTION 8, take effect on the effective date of Bill 58 (2017), either in its original or amended form. In addition, revises the repeal date from June 30, 2026 to June 30, 2027.
- E. Makes miscellaneous technical and nonsubstantive amendments.

The following individual testified:

Keith Kurahashi, R.M. Towill (Support)

Councilmember Pine noted that concerns have been raised that Bill 58 (2017) was not moving forward with Bill 59 (2017). She clarified that the FD1 specifies the incentives will be available effective for Interim Planned Development-Transit Project (IPD-T) projects and Planned Development Project (PDT) projects upon approval by the Council. She stated that Bill 59 (2017) was written to have protections to be applied to truly affordable housing and some of the benefits from the City to developers will not be granted unless Bill 58 (2017) is passed.

In response to Councilmember Pine, Mayor Kirk Caldwell stated that the analysis of the Hawaii affordable housing policy should be ready. He noted that he is not implying that councilmembers have not been working hard. He stated that everyone has been working hard and he recognized the difficulty of the issue, how long it has taken, and that everyone is doing their homework, and at the end of the day the Administration and the Council have not shied away from making difficult changes.

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office [CC-214 (2017), CC-236 (2017), CC-237 (2017), CC-12, CC-14, CC-15].

[Note: Councilmember Ozawa has Disclosures of Interest on file with the City Clerk's Office, CC-209 (2017), CC-245 (2017).]

Bill 59 (2017), CD2 was amended to the handcarried FD1 (OCS2018-0096/1/26/2018 2:46 PM)

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

Committee Report 1 was adopted and Bill 59 (2017), CD2, FD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

Related communications:

CC-36	Councilmember Kymberly Marcos Pine
M-85	Additional testimony on Bill 59 (2017), CD2

THIRD READING

BILL 77 (2017), CD1 – COMMITTEE REPORT 54

A BILL FOR AN ORDINANCE RELATING TO BICYCLE LANES.

Councilmember Elefante moved that Committee Report 54 be adopted and Bill 77 (2017), CD1 pass third reading. Seconded by Councilmember Manahan.

The following individual testified:

Dennis Manago (Support)

Councilmember Manahan thanked the Chair of the Transportation Committee for moving the measure forward and also the Chair of the Planning Committee. He stated that the measure is asking to rename the newly installed bike lanes on Ala Napunani after Zach Manago who tragically got in an accident while riding his bike and passed away. He

noted that Zach was a huge advocate for bicycle safety, pedestrian safety and safety for everyone using the roads. He thanked the Manago family for testifying and advocating for the measure. He asked councilmembers to support the measure.

Chair Menor echoed the sentiments of Councilmember Manahan. He expressed to the Manago family that it was a privilege for the Council to have the opportunity to honor the memory of Zach. He voiced his support of the measure.

Committee Report 54 was adopted and Bill 77 (2017), CD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, MENOR – 8.
NOES: None.
ABSENT: PINE – 1.

Related communication:

M-86 Additional testimony on Bill 77 (2017), CD1

At this juncture, there being no objections from the 8 members present (Absent: Pine – 1), the Chair considered Bill 99, CD1 on page 11 of the agenda.

THIRD READING

BILL 99 (2017), CD1 – COMMITTEE REPORT 13

A BILL FOR AN ORDINANCE RELATING TO BUS STOPS.

Councilmember Fukunaga moved that Committee Report 13 be adopted and Bill 99 (2017) pass third reading, as amended to CD1. Seconded by Councilmember Anderson.

There was no public testimony.

In response to Councilmember Ozawa, Duane Pang, Department of the Corporation Counsel (COR) stated that although COR has expressed concerns on these types of measures, they will be able to sign off as to form and legality.

Councilmember Elefante noted that as he has with all measures relating to sit lie, he will vote no on the measure.

Councilmember Ozawa noted that this was not a sit lie ordinance, but rather is about not allowing people to lie down at bus stops. He stated that the measure is different from sit lie ordinances in several technical, legal and substantive ways. He expressed his concern for bus riders and that the measure will make them feel safer and enable a more enjoyable experience using public transportation.

Chair Emeritus Martin commended Councilmember Ozawa for his work on the measure. He remarked that he was glad that Councilmember Ozawa asked COR for clarification on signing the measure as to form and legality. He stated that this is an unfortunate problem in all districts.

Councilmember Anderson voiced his support of the measure and commended the introducer. He noted that City bus stops were never intended to be used as living areas.

Committee Report 13 was adopted and Bill 99 (2017), CD1 passed third reading, as amended.

AYES: ANDERSON, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA,
 MENOR – 7.
NOES: ELEFANTE – 1.
ABSENT: PINE – 1.

Related communication:

M-66 Early testimony on Bill 99 (2017), CD1

The Council Chair returned to the agenda order.

ADOPTION

RESOLUTION 17-252 – COMMITTEE REPORT 420 (2017)

RESOLUTION NAMING THE ALA NAPUNANI STREET BIKE LANES IN MEMORY OF ZACHARY MANAGO.

Councilmember Anderson moved that Committee Report 420 (2017) and Resolution 17-252 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 420 (2017) and Resolution 17-252 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

Related communication:

M-87 Additional testimony on Resolution 17-252

FIRST READING

BILL 109 (2017)

(Budget)

A BILL FOR AN ORDINANCE RELATING TO FEES FOR USE OF MUNICIPAL GOLF COURSES.

Councilmember Anderson moved that Bill 109 (2017) pass first reading. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Ozawa stated he will be voting no on Bill 109 (2017) and Bill 111 (2017).

Bill 109 (2017) passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI*, MANAHAN,
 MARTIN*, PINE, MENOR – 8.

NOES: OZAWA – 1.

*Councilmembers Kobayashi and Martin voted aye with reservations.

FIRST READING

BILL 111 (2017)

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO BICYCLE PATHS.

Councilmember Anderson moved that Bill 111 (2017) pass first reading. Seconded by Councilmember Manahan.

There was no public testimony.

Bill 111 (2017) passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: OZAWA – 1.

FIRST READING

BILL 112 (2017)

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO MOPEDS.

Councilmember Anderson moved that Bill 112 (2017) pass first reading. Seconded by Councilmember Manahan.

The following individual testified:

Dave Moskowitz (Support)

Bill 112 (2017) passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.
NOES: None.

FIRST READING

BILL 1

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX RELIEF FOR PROPERTIES USED FOR LOW-INCOME RENTAL HOUSING.

Councilmember Anderson moved that Bill 1 pass first reading. Seconded by Councilmember Manahan.

There was no public testimony.

Bill 1 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

FIRST READING

BILL 2

(Parks, Community and Customer Services)

A BILL FOR AN ORDINANCE RELATING TO PUBLIC PARKS.

Councilmember Anderson moved that Bill 2 pass first reading. Seconded by Councilmember Manahan.

There was no public testimony.

Chair Emeritus Martin asked for councilmembers support of the measure. He stated that he introduced the measure reluctantly but felt the need to be cognizant of the local constituency. He noted that he has been waiting for the Department of Parks and Recreation (DPR) to come up with rules to address long-standing issues. He explained that there are people willing to donate supplies and do the labor for these projects. He expressed disappointment that the DPR has been non-responsive on issues concerning his district and the embarrassment he felt when one of the projects at a park had not been completed when he attended an opening event in Chair Menor's district.

Chair Menor thanked Chair Emeritus Martin for informing him of the disrepair at the park in his district and noted that he will be following up on that concern.

Bill 2 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

FIRST READING

BILL 3

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Anderson moved that Bill 3 pass first reading. Seconded by Councilmember Manahan.

There was no public testimony.

Bill 3 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

FIRST READING

BILL 4

(Public Works, Infrastructure and Sustainability/
Public Health, Safety and Economic Development)

A BILL FOR AN ORDINANCE RELATING HEALTH.

Councilmember Anderson moved that Bill 4 pass first reading. Seconded by Councilmember Manahan.

The following individuals testified:

1. Dean Otsuki (M-67) (Support)
2. Suzanne Frazer, Beach Environmental Awareness Campaign Hawaii (M-67) (Support)
3. Rafael Bergstrom, Surfrider Foundation Oahu Chapter (M-67) (Support)
4. Jenny Rio (Oppose)
5. Michellei Kalahiki (Oppose)
6. Carmelita Phillips (Oppose)
7. Donna Nitta (Oppose)
8. Romel Menor (Oppose)
9. Steven Watanabe (Oppose)

Bill 4 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

Related communications:

M-67 Early testimony on Bill 4

M-88 Additional testimony on Bill 4

FIRST READING

BILL 5 (Public Works, Infrastructure and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO LITTER REDUCTION, RECYCLING, AND COMPOSTING INCENTIVES.

Councilmember Anderson moved that Bill 5 pass first reading. Seconded by Councilmember Manahan.

There was no public testimony.

Bill 5 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA, PINE, MENOR – 9.

NOES: None.

Related communication:

M-68 Early testimony on Bill 5

Additional testimony on Bill 5

FIRST READING

BILL 6 (Public Health, Safety and Economic Development)

A BILL FOR AN ORDINANCE RELATING TO PUBLIC NUISANCES.

Councilmember Anderson moved that Bill 6 pass first reading. Seconded by Councilmember Manahan.

The following individuals testified:

1. Rick Egged (General comment)
2. Dave Moskowitz (Support)

Bill 6 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

Related communications:

M-69 Early testimony on Bill 6
M-90 Additional testimony on Bill 6

ADOPTION

RESOLUTION 17-342 – COMMITTEE REPORT 3

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE KOSHINKAN DOJO.

Councilmember Kobayashi moved that Committee Report 3 and Resolution 17-342 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 3 and Resolution 17-342 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

ADOPTION

RESOLUTION 17-345 – COMMITTEE REPORT 4

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE FRIENDS OF HAWAII CHARITIES, INC.

Councilmember Kobayashi moved that Committee Report 4 and Resolution 17-345 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 4 and Resolution 17-345 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

ADOPTION

RESOLUTION 17-346 – COMMITTEE REPORT 5

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM BANK OF HAWAII.

Councilmember Kobayashi moved that Committee Report 5 and Resolution 17-346 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 5 and Resolution 17-346 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

ADOPTION

RESOLUTION 17-348 – COMMITTEE REPORT 6

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE KANEOHE LIONS CLUB.

Councilmember Kobayashi moved that Committee Report 6 and Resolution 17-348 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 6 and Resolution 17-348 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, MENOR – 8.
NOES: None.
ABSENT: PINE – 1.

ADOPTION

RESOLUTION 17-350 – COMMITTEE REPORT 7

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM NAGOYA TOYOPET.

Councilmember Kobayashi moved that Committee Report 7 and Resolution 17-350 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Councilmember Kobayashi stated that she requested a copy of the Master Plan because she was sure that changes were made but the Plan remains the same even though two Neighborhood Boards have opposed it. She remarked that she does not understand why the Mayor and his Administration have not listened to the community. She noted that she did not want to refuse the gift and is hoping the Department of Parks and Recreation will be able to speak with the sponsor to use the gift towards maintenance of the restrooms or the grass.

Committee Report 7 and Resolution 17-350 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA*, KOBAYASHI*, MANAHAN,
 MARTIN, OZAWA, MENOR – 8.

NOES: None.

ABSENT: PINE – 1.

*Councilmembers Fukunaga and Kobayashi voted aye with reservations.

Related communication:

MM-11 Edwin Hawkins, Jr., Office of the Mayor

ADOPTION

RESOLUTION 17-354, FD1 – COMMITTEE REPORT 8

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE WAIKIKI BEACH SPECIAL
IMPROVEMENT DISTRICT ASSOCIATION.

The following amendment was handcarried to the meeting.

Resolution 17-354, Proposed FD1 (OCS2018-0102/1/30/2018 4:16 PM)

Councilmember Kobayashi moved that Committee Report 8 and Resolution 17-354 be adopted. Seconded by Councilmember Ozawa.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Ozawa. The FD1 makes the following amendments:

- A. Replaces the attached Declaration of Gift form (Exhibit A) with a revised Declaration of Gift form (transmitted by the Deputy Director of Parks and Recreation via Departmental Communication No. 59 (2018)) that affirms the gift to the City from the Waikiki Beach Special Improvement District Association has been given without condition or reservation.
- B. Makes conforming amendments throughout the Resolution to incorporate and reference the revised Declaration of Gift form.
- C. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 17-354 was amended to FD1 (OCS2018-0102/1/30/2018 4:16 PM)

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, MENOR – 8.
NOES: None.
ABSENT: PINE – 1.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.
NOES: None.

Committee Report 8 and Resolution 17-354, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.
NOES: None.

ADOPTION

RESOLUTION 17-356, CD1 – COMMITTEE REPORT 9

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO PROVIDE THE COUNCIL WITH INFORMATION RELATING TO THE CITY'S CURRENT TOWING CONTRACT AND TO ENTER INTO DISCUSSIONS WITH BRANCHES OF THE MILITARY SERVICE REGARDING THE STORAGE OF ABANDONED VEHICLES.

Councilmember Kobayashi moved that Committee Report 9 and Resolution 17-356, CD1 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Councilmember Kobayashi stated that she hoped the Administration will listen to the community. She noted that she has received numerous calls regarding abandoned vehicles ruining the look of the City, especially in the rural areas. She remarked that there have been questions raised about the process of the towing contract and hopes the City can resolve the issue.

Councilmember Ozawa commented that last year the Administration was unaware of the Servicemembers Civil Relief Act (SCRA), an important issue which needs to be evaluated.

Chair Emeritus Martin thanked the Parks Committee Chair for having the measure on the agenda to address a major concern for all districts. He noted that a constituent had written a strong letter voicing his displeasure on the number of abandoned vehicles that had not been disposed of properly. He suggested that a more detailed audit may need to be done to resolve the issue.

Committee Report 9 and Resolution 17-356, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

ADOPTION

RESOLUTION 18-5 – COMMITTEE REPORT 10

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO EXPEDITE THE REPLACEMENT OR RESTORATION OF THE FIELD AND POOL LIGHTS/LIGHTING SYSTEMS AT WAIALUA DISTRICT PARK.

Councilmember Kobayashi moved that Committee Report 10 and Resolution 18-5 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Councilmember Kobayashi thanked the councilmember from the district. She stated that a meeting was held in the community to discuss the situation. She noted that the children are the ones suffering when there are no lights at the park.

Committee Report 10 and Resolution 18-5 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
OZAWA, PINE, MENOR – 9.

NOES: None.

Related communications:

D-57	Kathleen M. Pahinui, North Shore Neighborhood Board #27
M-70	Early testimony on Resolution 18-5
M-91	Additional testimony on Resolution 18-5

RECESS/RECONVENE

At 3:56 p.m., the Chair called for a short recess and reconvened the meeting at 4:07 p.m.

At this juncture, there being no objections from the 9 members present, the Chair considered Resolution 17-355, CD1 on page 25 of the agenda.

Councilmember Anderson asked colleagues to welcome former Council Chair Apo to the Council Chambers.

ADOPTION

RESOLUTION 17-355, CD1 – COMMITTEE REPORT 37

RESOLUTION AMENDING RULES §3-81-17.51, §3-81-17.58, §3-82-33.11, §3-82-33.6, AND §3-83-54.1, RULES OF THE LIQUOR COMMISSION OF THE CITY AND COUNTY OF HONOLULU, AND PERTAINING TO LIQUOR LICENSE, TRADE NAME CHANGE, PERMIT, AND FILING FEES.

Councilmember Manahan moved that Committee Report 37 and Resolution 17-355, CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 37 and Resolution 17-355, CD1 were adopted.

AYES:	ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA, PINE, MENOR – 9.
NOES:	None.

Related communications:

M-74	Early testimony on Resolution 17-355, CD1
M-93	Additional testimony on Resolution 17-355, CD1

The Council Chair returned to the agenda order.

ADOPTION
RESOLUTION 18-2 – COMMITTEE REPORT 15

RESOLUTION URGING THE STATE OF HAWAII TO RECONSIDER THE POSSIBILITY OF DESIGNATING A SITE IN KAIMUKI AS A SAFE ZONE FOR HOMELESS INDIVIDUALS.

Councilmember Fukunaga moved that Committee Report 15 and Resolution 18-2 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Councilmember Ozawa stated he introduced the Resolution on behalf of his constituents. He noted that the parcel that the State of Hawaii proposed for a safe zone was next to the fire station off of Koko Head Avenue was at a 45 degree angle. He urged the State to reconsider putting a homeless safe zone on either the site next to the Kaimuki Fire Station or at Koko Head District Park in Hawaii Kai.

Councilmember Manahan spoke in strong support of the measure. He echoed the sentiments of the councilmember from Hawaii Kai and ask proponents of safe zones to pilot them in their districts before suggesting or trying to place them in other districts.

Committee Report 15 and Resolution 18-2 were adopted.

AYES:	ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA, PINE, MENOR – 9.
NOES:	None.

Related communication:

M-71	Early testimony on Resolution 18-2
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ADOPTION

RESOLUTION 18-7 – COMMITTEE REPORT 16

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY IDENTIFIED AS TAX MAP KEY 2-1-014: 006 (PORTION).

Councilmember Fukunaga moved that Committee Report 16 and Resolution 18-7 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 16 and Resolution 18-7 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

ADOPTION

RESOLUTION 18-8 – COMMITTEE REPORT 17

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY 1-5-007: 016 (PORTION).

Councilmember Fukunaga moved that Committee Report 17 and Resolution 18-8 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 17 and Resolution 18-8 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

ADOPTION

RESOLUTION 18-9 – COMMITTEE REPORT 18

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF AN INTEREST IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY 1-5-007: 026 (PORTION).

Councilmember Fukunaga moved that Committee Report 18 and Resolution 18-9 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 18 and Resolution 18-9 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

ADOPTION

RESOLUTION 18-10 – COMMITTEE REPORT 19

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY 1-5-008: 020 (PORTION).

Councilmember Fukunaga moved that Committee Report 19 and Resolution 18-10 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Councilmember Fukunaga stated she previously expressed reservations on the measure and subsequent resolutions involving small business properties being considered for eminent domain. She noted that she appreciates the Honolulu Authority for Rapid Transportation's need to maintain their construction schedule, but is concerned about the effects on the Otani property.

Committee Report 19 and Resolution 18-10 were adopted.

AYES: ANDERSON, ELEFANTE, MANAHAN, OZAWA, PINE, MENOR – 6.
NOES: FUKUNAGA, KOBAYASHI, MARTIN – 3.

Related communication:

M-78 Early testimony on Resolution 18-10

ADOPTION

RESOLUTION 18-11 – COMMITTEE REPORT 20

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY IDENTIFIED AS TAX MAP KEYS 2-1-014: 003 (PORTION) AND 2-1-014-004 (PORTION).

Councilmember Fukunaga moved that Committee Report 20 and Resolution 18-11 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 20 and Resolution 18-11 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.
NOES: None.

ADOPTION

RESOLUTION 18-12 – COMMITTEE REPORT 21

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF AN INTEREST IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY 2-1-030: 012 (PORTION).

Councilmember Fukunaga moved that Committee Report 21 and Resolution 18-12 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 21 and Resolution 18-12 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

ADOPTION

RESOLUTION 18-13 – COMMITTEE REPORT 22

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF AN INTEREST IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY 2-1-031: 030 (PORTION).

Councilmember Fukunaga moved that Committee Report 22 and Resolution 18-13 be adopted. Seconded by Councilmember Anderson.

The following individual testified:

Casey Ching, Servco Pacific Inc. (M-72) (Oppose)

Chair Emeritus Martin stated he will vote no on the measure and also on Resolution 18-17. He noted that when the power of eminent domain is exercised, the negotiating power shifts to the Honolulu Authority for Rapid Transportation.

Councilmember Fukunaga stated that she expressed concerns during the Executive Matters and Legal Affairs meeting and would vote no on the measure.

Councilmember Ozawa stated he will vote no on the measure.

Committee Report 22 and Resolution 18-13 were adopted.

AYES: ANDERSON, ELEFANTE, MANAHAN, PINE, MENOR – 5.

NOES: FUKUNAGA, KOBAYASHI, MARTIN, OZAWA – 4.

Related communication:

M-72 Early testimony on Resolution 18-13

ADOPTION

RESOLUTION 18-14 – COMMITTEE REPORT 23

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY NO. 2-3-039: 013 (PORTION).

Councilmember Fukunaga moved that Committee Report 23 and Resolution 18-14 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 23 and Resolution 18-14 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 OZAWA, PINE, MENOR – 9.

NOES: None.

ADOPTION

RESOLUTION 18-15 – COMMITTEE REPORT 24

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF AN INTEREST IN REAL PROPERTY IDENTIFIED AS TAX MAP KEY 2-1 -052: 056 (PORTION).

Councilmember Fukunaga moved that Committee Report 24 and Resolution 18-15 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 24 and Resolution 18-15 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

RECESS/RECONVENE

At 4:28 p.m., the Chair called for a short recess and reconvened the meeting at 4:29 p.m.

At 4:29 p.m., the Chair called for a short recess and reconvened the meeting at 4:30 p.m.

ADOPTION

RESOLUTION 18-17 – COMMITTEE REPORT 25

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY.

Councilmember Fukunaga moved that Committee Report 25 and Resolution 18-17 be adopted. Seconded by Councilmember Anderson.

The following individual testified:

Matthew Evans, Victoria Ward, Limited and The Howard Hughes Corporation
(Oppose)

In response to questions posed by councilmembers, Mr. Evans and Mr. Apo stated that:

- The Howard Hughes Corporation is still committed to negotiating in good faith.
- If the measure is adopted, there may be objections about the procedures followed that may be raised in court.
- They just learned about the new property interests that were identified in December and are waiting to negotiate. The easements have never been appraised.
- In 2015 the Honolulu for Rapid Transportation (HART) offered Howard Hughes \$10 million to \$15 million. The response back from Howard Hughes was about \$200 million.

- Until The Howard Hughes Corporation knows exactly what easement is being requested, they will protect their interests and cannot move forward with negotiations.
- They have continued to work with the HART and the City in regards to the alignment of the rail line in order to know where they are able to develop based on the plans of the HART.
- Once the Howard Hughes Corporation has been informed of the easement being requested, they will be able to evaluate and negotiate with the HART.

Committee Report 25 and Resolution 18-17 were adopted.

AYES: ANDERSON, ELEFANTE, MANAHAN, PINE, MENOR – 5.
NOES: FUKUNAGA, KOBAYASHI, MARTIN – 3.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 18-6 – COMMITTEE REPORT 39

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE ASSOCIATION OF LOCAL GOVERNMENT AUDITORS.

Councilmember Manahan moved that Committee Report 39 and Resolution 18-6 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 39 and Resolution 18-6 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE,
 MENOR – 7.
NOES: None.
ABSENT: ANDERSON, OZAWA – 2.

ADOPTION

RESOLUTION 18-18 – COMMITTEE REPORT 41

RESOLUTION ACCEPTING A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM THE ASSOCIATION OF GOVERNMENT ACCOUNTANTS FOR TRAVEL EXPENSES TO KANSAS CITY, MISSOURI.

Councilmember Manahan moved that Committee Report 41 and Resolution 18-18 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 41 and Resolution 18-18 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 7.

NOES: None.

ABSENT: ANDERSON, OZAWA – 2.

ADOPTION

RESOLUTION 17-317 – COMMITTEE REPORT 33

RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE TO ENACT LEGISLATION THAT WOULD PROVIDE INCOME TAX BENEFIT TO INDIVIDUALS WHO RETROFIT THEIR HOMES WITH AUTOMATIC SPRINKLER SYSTEMS WHEN REQUIRED TO DO SO BY ORDINANCE.

Councilmember Manahan moved that Committee Report 33 and Resolution 17-317 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 33 and Resolution 17-317 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-321 – COMMITTEE REPORT 34

RESOLUTION URGING THE CDBG AND HOME PROJECTS SELECTION COMMITTEE TO ALLOCATE CDBG MONEYS TO ACQUIRE TWO NEW AMBULANCE UNITS FOR USE IN LOW- AND MODERATE-INCOME COMMUNITIES IN FISCAL YEARS 2019 AND 2020 AND URGING THE CITY ADMINISTRATION TO FUND THE OPERATION COSTS OF THESE TWO AMBULANCE UNITS PREFERABLY THROUGH INCREASED STATE FUNDING FOR AMBULANCE SERVICES.

Councilmember Manahan moved that Committee Report 34 and Resolution 17-321 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Chair Emeritus Martin thanked the Budget Committee Chair and the members for their favorable consideration. He requested the Budget Committee Chair to consider asking the City Administration to give periodic updates on actions taken.

Committee Report 34 and Resolution 17-321 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

(Note: Earlier in the meeting, Committee Report 35 and Resolution 17-334 were adopted. See page 11.)

ADOPTION

RESOLUTION 17-347 – COMMITTEE REPORT 36

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 36 and Resolution 17-347 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 36 and Resolution 17-347 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 18-4 – COMMITTEE REPORT 38

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 38 and Resolution 18-4 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 38 and Resolution 18-4 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

(Note: Earlier in the meeting, Committee Report 37 and Resolution 17-355, CD1 and were adopted. See page 41.)

ADOPTION

RESOLUTION 18-24 – COMMITTEE REPORT 42

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S TWENTY-THIRD (23RD) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), EMERGENCY SOLUTIONS GRANTS (ESG) AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Councilmember Manahan moved that Committee Report 42 and Resolution 18-24 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 42 and Resolution 18-24 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 18-25 – COMMITTEE REPORT 43

RESOLUTION RELATING TO REPROGRAMMING OF THE CITY'S TWENTY-THIRD (23RD) YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS.

Councilmember Manahan moved that Committee Report 43 and Resolution 18-25 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 43 and Resolution 18-25 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-359, CD1, FD1 – COMMITTEE REPORT 53

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE KUNIA VILLAGE LOW-INCOME HOUSING DEVELOPMENT PROJECT AT KUNIA, OAHU, HAWAII, TAX MAP KEY 9-2-005: 023. (APPLICANT: KUNIA VILLAGE TITLE HOLDING CORPORATION) (DEADLINE: 2/4/18).

The following amendment was handcarried to the meeting:

Resolution 17-359, Proposed FD1 (OCS2018-0110/1/30/2018 11:14 AM)

Councilmember Pine moved that Committee Report 53 and Resolution 17-359, CD1 be adopted. Seconded by Councilmember Anderson.

Councilmember Pine moved that the Resolution be amended to FD1. Seconded by Councilmember Anderson. The FD1 makes the following amendments:

- A. In the fifth WHEREAS clause, clarifies that the number of each unit type is based on the provision of a total of 200 rental units, and if the Applicant cannot obtain financing to provide 200 rental units, the number of each unit type will be reduced proportionately.
- B. In the seventh WHEREAS clause, clarifies that the number of affordable units made available to each AMI category is based on the provision of a total of 200 rental units, and if the Applicant cannot obtain financing to provide 200 rental units, the number of affordable units made available to each AMI category will be reduced proportionately.
- C. In the ninth WHEREAS clause, clarifies that the up to 40 new units anticipated to be constructed in Phase 3, and the up to 27 new units anticipated to be constructed in Phase 4, are contingent on the Applicant obtaining financing therefor.
- D. Replaces the Attachment 1 Development Agreement with a revised Development Agreement that makes conforming amendments, similar to the resolution amendments described above, and makes miscellaneous technical and nonsubstantive amendments.
- E. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Councilmember Pine urged councilmembers to support the measure. She noted that the project was put together by a non-profit and a private company to provide farmers with affordable housing. She commended the company and its partners, the City and the State for putting the project together. She stated that with the passage of the measure, 200 rental units will be provided for those who really need it.

Chair Menor echoed the sentiments of Councilmember Pine. He stated that this is a terrific project located in his district and that it meets the affordable needs of agricultural workers. He voiced his support for the measure.

Resolution 17-359, CD1 was amended to FD1 (OCS2018-0110/1/30/2018 11:14 AM)

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Committee Report 53 and Resolution 17-359, CD1, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communication:

CC-36 Councilmember Kymberly Marcos Pine

ADOPTION

RESOLUTION 18-1, CD1 – COMMITTEE REPORT 55

RESOLUTION URGING THE CITY ADMINISTRATION TO MAXIMIZE THE INCORPORATION OF COMPLETE STREETS RESTRIPIING INTO ONGOING REPAVING PROJECTS IN ORDER TO BENEFIT ALL USERS OF ITS TRANSPORTATION SYSTEM.

Councilmember Elefante moved that Committee Report 55 and Resolution 18-1, CD1 be adopted. Seconded by Councilmember Manahan.

The following individuals testified:

1. Cherie Andrade, Blue Zones Project-Koolauoko (M-76) (Support)
2. Craig Petty, Blue Zones Project (M-76) (Support)
3. Michael Brownfield, Honolulu Japanese Seventh-Day Adventist Church (M-76) (Support)
4. Jeff Alameida, Wahiawa Blue Zone Steering Committee (Support)
5. Donta Tanner (General comment)
6. Chu Lan Shubert-Kwock (General comment)

Councilmember Elefante thanked Councilmember Pine for introducing the Resolution and the testifiers. He noted that the measure provides the City with an opportunity to improve modes of transportation for all users while being sensitive to the concerns of the community. He asked councilmembers to support the measure.

Committee Report 55 and Resolution 18-1, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

M-76 Early testimony on Resolution 18-1, CD1

M-94 Additional testimony on Resolution 18-1, CD1

ADOPTION

RESOLUTION 17-349, FD1 – COMMITTEE REPORT 58

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU POLICE COMMUNITY FOUNDATION FOR PURCHASE OF RADAR EQUIPMENT.

The following amendment was handcarried to the meeting:

Resolution 17-349, Proposed FD1 (No OCS number)

Councilmember Fukunaga moved that Committee Report 58 and Resolution 17-349 be adopted. Seconded by Councilmember Anderson.

Councilmember Anderson moved that the Resolution be amended to FD1. Seconded by Councilmember Manahan. The FD1 makes the following amendment:

To delete language stating stalker radars and replace it with the phrase radar equipment.

There was no public testimony.

Resolution 17-349 was amended to FD1 (No OCS number).

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Committee Report 58 and Resolution 17-349, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communication:

D-60 Honolulu Police Department

ADOPTION

RESOLUTION 17-357 – COMMITTEE REPORT 59

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE ANNENBERG FOUNDATION.

Councilmember Fukunaga moved that Committee Report 59 and Resolution 17-357 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 59 and Resolution 17-357 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-358 – COMMITTEE REPORT 60

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM KAENON.

Councilmember Fukunaga moved that Committee Report 60 and Resolution 17-358 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 60 and Resolution 17-358 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 18-20 – COMMITTEE REPORT 62

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM ISLANDS HOSPICE ON BEHALF OF MAREEN ENGEL.

Councilmember Fukunaga moved that Committee Report 62 and Resolution 18-20 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 62 and Resolution 18-20 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 18-21 – COMMITTEE REPORT 63

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE 200 CLUB TO FUND THE HONOLULU FIRE DEPARTMENT'S MANAGER, FIRE FIGHTER, AND CIVILIAN EMPLOYEES OF THE YEAR AWARDS.

Councilmember Fukunaga moved that Committee Report 63 and Resolution 18-21 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 63 and Resolution 18-21 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-360 – COMMITTEE REPORT 61

RESOLUTION RECOGNIZING AND SUPPORTING THE BLUE ZONES PROJECT AND URGING THE CITY ADMINISTRATION TO RECOGNIZE AND SUPPORT THE BLUE ZONES PROJECT.

Councilmember Fukunaga moved that Committee Report 61 and Resolution 17-360 be adopted. Seconded by Councilmember Anderson.

The following individuals testified:

1. Cherie Andrade, Blue Zones Project-Koolauoko (M-77) (Support)
2. Craig Petty, Blue Zones Project (M-77) (Support)
3. Michael Brownfield, Honolulu Japanese Seventh-Day Adventist Church (M-77) (Support)
4. Jeff Alameida (Support)
5. Donta Tanner (Support)
6. Kitty Souza (Support)

Councilmember Pine thanked the Blue Zones for inspiring her community and communities statewide on how to live healthier and happier. She noted that she learned it is not only about eating and exercising, it is about happiness, joy, and having better relationships with your community. She encouraged the Blue Zones to study Councilmember Kobayashi as she is an inspiration to all.

Chair Menor noted that the theme of happiness, joy and getting together is also the theme of the City Council for 2018.

Committee Report 61 and Resolution 17-360 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

M-77 Early testimony on Resolution 17-360

M-95 Additional testimony on Resolution 17-360

ADOPTION

RESOLUTION 18-27 – COMMITTEE REPORT 64

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO CONDUCT AN ASSESSMENT OF THE CITY'S RESPONSE TO THE JANUARY 13, 2018, FALSE MISSILE ALERT INCIDENT.

Councilmember Fukunaga moved that Committee Report 64 and Resolution 18-27 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 64 and Resolution 18-27 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

BALANCE OF COMMITTEE REPORTS

EMLACR-26

Request for authorization to settle a case against the City and County of Honolulu entitled Sean M. Davis, as Personal Representative of the Estate of Thomas James Davis, Deceased, et al. v. City and County-of Honolulu; Civil No. 15-1-0221-02 JPC.

EMLACR-27

Request for authorization to settle a case against the City and County of Honolulu entitled George Martin v. City and County of Honolulu, et al.; Civil No. CV13-1-2915-10 JPC.

PWISCR-49

From the Department of Design and Construction, requesting consideration of Deed conveying roadway Lots 18210 and 18211; Grant of Drain Easement 9686; and Grant of Sewer Easements 10241, 10232 and 10234 for public use in Ewa. (Ocean Pointe Area IV B Subdivision) ([D-804](#)).

[PWISCR-50](#)

From the Department of Design and Construction, requesting consideration of dedication documents conveying Grant of Drain Easement 10500; Grant of Drain Easements 10506 and 10508; Grant of Sewer Easement 10501; and Grant of Sewer Easements 10506 and 10508 for public use in Ewa. [La Hiki at Mehana (Bulk) Subdivision] ([D-844](#)).

Councilmember Anderson moved that the Balance of Committee Reports, as listed above, be adopted. Seconded by Councilmember Pine.

There was no public testimony.

The Balance of Committee Reports was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 18-26

RESOLUTION APPROVING THE GRANT OF EASEMENT E-6 TO THE STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION WITHIN A PORTION OF CITY OWNED PROPERTY ALONG KAMEHAMEHA HIGHWAY AT KAWELA, TMK: 5-7-006:031

Resolution 18-26 was waived to the Council floor by the Chair of the Public Works, Infrastructure and Sustainability Committee.

Councilmember Anderson moved that Resolution 18-26 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Resolution 18-26 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communication:

CC-28 Councilmember Carol Fukunaga

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

At 5:23 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, February 28, 2018, at 10 a.m. Seconded by Councilmember Pine and there being no objections from the 8 members present (Excused: Ozawa – 1), it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

jy

DATE APPROVED:

February 28, 2018